

## **Privacy Notice for Job Applicants**

### **Staffordshire University Academies Trust's Commitment to Data Privacy**

Staffordshire University Academies Trust is committed to protecting the privacy and rights of anyone who shares their personal data with us. Under data protection laws, individuals have a right to be informed about how we use the personal data that we hold about them. We comply with this right by providing 'privacy notices' (sometimes called fair processing notices) to individuals, where we are processing their personal data. Individuals can find out more information about data protection laws, specifically the UK GDPR, [here](#).

This privacy notice explains what personal information the Academy collects, uses and stores personal data about individuals who apply for a position within Staffordshire University Academies Trust. It explains why we hold this information, what we do with it, how long we keep it for and if we share it with third parties.

The Academy is the Data Controller for the personal information you provide to us. This means that we determine the purposes for which, and the manner in which, any personal data relating to job applicants is to be processed in order to comply with its' legal obligations and legitimate interests (in accordance with Article 6 of the UK GDPR), as a public sector organisation. The personal data collected is essential, in order for the Academy to fulfil its official functions.

Staffordshire University Academies Trust has a Data Protection Officer whose role is to support the Trust and its' Academies with data processing practices. The DPO can be contacted on 01782 987120 or [hkirkham@suatrust.co.uk](mailto:hkirkham@suatrust.co.uk).

The information that you provide will be used in accordance with the Staffordshire University Academies Trust data protection policies, which can be found by accessing the Trust's website - <http://www.suatrust.co.uk/documents---policies>.

### **The personal data we process**

The personal information that the Academy collects regarding job applicants will be utilised to meet our statutory duties and to fulfil our purpose as a public sector organisation. It will also be used to assess your suitability for the position applied for.

We process data relating to those who apply for a position within the Trust. Personal data that we collect, use, store and when appropriate, share, about you includes (as relevant to the position being applied for), but is not restricted to:

- Name, address, date of birth, gender, contact telephone number and email address
  - Teacher number, QTS, DfES reference number, previous teaching experience (where relevant)
  - National insurance number
  - Employment history
  - References (name, contact information, and written reference)
  - Qualifications and where relevant, subjects taught
  - CPD and training (including course name, awards, date of attendance)
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- Data relating to warnings
- Data relating to child protection and safeguarding incidents
- Whether you have any prosecutions pending
- CCTV (whilst on site)
- Whether you have a driving licence, and any points on your licence
- Information about any incidents or issues that have happened and are publicly available online

We may also collect, store and use information about you that falls into "special categories" of more sensitive personal data. This includes information about (where applicable):

- Race, ethnicity, religious beliefs, sexual orientation
- Health, including any medical conditions, physical and mental health information, and sickness records
- Data relating to disability
- Criminal data, provided as part of our recruitment process
- Information that is considered special category data while completing an online search for any incidents or issues that have happened and are publicly available online

Job applicants' personal data will be sought from the data subject themselves, for example, via application forms, identity documents, information collected through interviews and other forms of assessment. Third parties will be contacted to obtain job applicants' personal data with the data subject's consent, unless the Academy has a legal basis for doing so. Previous employers will be contacted to obtain personal information in the form of references of the data subject, to enable the Academy to fulfil its' legal duties to ensure that safer recruitment practices are adhered to. We may also review information which is publicly available online, regarding any incidents or issues that have happened.

### **Why we use this data**

When you complete the application form and accompanying documentation as part of our recruitment process, you will be providing the Academy with personal data for the purpose of helping us to appoint a suitable candidate, including to:

- Comply with safer recruitment practices and legal obligations to keep children safe in education;
- Inform the development of recruitment and retention policies;
- Allow financial modelling and planning;
- Enable equalities monitoring;
- Ensure staff and children are safe in the workplace;
- Maintain security on the premises to safeguard staff and children.

The Academy collects information regarding job applicants to adhere to safer recruitment requirements and safeguarding obligations.

DBS data will be verified in accordance with the latest Keeping Children Safe in Education guidance and job offers will be subject to satisfactory DBS. No copies of DBS certificates will be taken however verification of such checks will be recorded on the Academy's single central record on appointment.

The Academy collects information regarding race, ethnicity, religious beliefs and sexual orientation for equality monitoring purposes. We may also collect information about whether or not applicants are disabled to make reasonable adjustments for candidates who have a disability. We process such information to carry out obligations and exercise specific rights in relation to employment.

The Academy collects information regarding health, including any medical conditions, physical and mental health information, and sickness records through our PEAQ form. This form will only be reviewed if you are the preferred candidate for the post which you have applied for and will support the Academy in assessing your fitness for work and provide support to you in your post through occupational health consultancies.

We may also need to process data from job applicants to respond to and defend against legal claims.

CCTV recordings are used for public safety interests and the prevention and detection of crime on our premises. Recordings also provide enforcement agencies with evidence of criminal activity, for formal actions including prosecutions in court and identification of offenders in investigations. These recordings contain images of individuals utilising the Academy grounds / building and the legal basis for using the information you provide us is:

- For the interests of staff, pupil and public safety, the prevention and detection of crime, apprehension and prosecution of offenders and for legal proceedings
- The processing is necessary for us to perform a task in the public interest or for our official functions, and the task or function has a clear basis in law

The CCTV database is used to record incidents that are actioned by designated staff with secure access to the system. This information can be used as an evidential log if needed for legal purposes, to internally investigate an accident or incident which may be shared with the Staffordshire Police, Insurers and Health and Safety Executive as required.

Where we require your consent for collecting data, this will be specified on the form for the request of data. Where you have provided us with consent to use your data, you may withdraw this consent at any time. We will make this clear when requesting your consent, and explain how you go about withdrawing consent if you wish to do so.

### **Our lawful basis for using this data**

The data of job applicants is essential for the Academy's operational use to facilitate safer recruitment practices and ensure that the successful candidate can be recruited into the role applied for. Whilst the majority of personal information you provide to us is mandatory, some of it is requested on a voluntary basis. In order to comply with the UK GDPR, we will inform you at the point of collection, whether you are required to provide certain information to us or if you have a choice in this and we will tell you what you need to do if you do not want to share this information with us.

We only collect and use personal information about you when the law allows us to. Most commonly, we use it where:

- We need to comply with a legal obligation (Article 6(1)c) e.g. it is mandatory to check a successful applicant's eligibility to work in the UK before employment begins
- Where we need to carry out a task in the public interest (Article 6(1)e)
- Where we have a legitimate interest (Article 6(1)f)

Less commonly, we may also use personal information about you where:

- You have given us consent to use it in a certain way (Article 6(1)a)
- We need to protect your vital interests, or someone else's vital interests (Article 6(1)d)

We will also use your data if you are successful in your application, where we require it to fulfil a contract with you (contract of employment), under Article 6(1)b.

We collect data which is specified under the UK General Data Protection Regulation as Special Category Data, known as data that could be considered particularly sensitive. This means that, under the UK GDPR, we have obligations to keep this data secure and use it where:

- We have explicit consent (Article 9(a))
- Employment, social security and social protection permits (Article 9(b))
- We need to protect the vital interests of an individual (Article 9(c))
- We have a legitimate interest as a not for profit organisation (Article 9(d))
- For the safeguarding of children and individuals at risk (Paragraph 18, Schedule 1, Data Protection Act 2018)

We will only use your personal information for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If we need to use your personal information for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Some of the reasons listed above for collecting and using personal information about you overlap, and there may be several grounds which justify the Academy's use of your data.

## **How we store this data**

We hold application data throughout your period of employment and for 6 years after the cessation of your employment if successful, or for a period of 6 months if unsuccessful. Personal information that is no longer needed, or has become inaccurate or out of date, is disposed of securely in accordance with our retention policy. Once your application has been submitted we will retain this file and delete the information in it in accordance with our Compliant Records Management Policy.

For candidates who are unsuccessful, if we consider that you might be suitable for other roles in the future, we will add you to our 'talent pool' so that we can contact you about other roles in the future. We will keep your information in this talent pool for 12 months from the date that you applied for a position with us. We will advise you during the recruitment process regarding whether we will add your personal information to our talent pool and you can consent to the Trust / Academy retaining your data within our application form.

If you do not want us to keep your details for this purpose, please email [office@suatrust.co.uk](mailto:office@suatrust.co.uk) to withdraw your consent, or let us know at any stage of the recruitment process.

The Academy will not share your personal information with any third parties without your consent, unless the law allows us to do so. Where it is legally required, or necessary (and it complies with data protection law) we may share personal information. Where we transfer personal data to a country or territory outside the European Economic Area, we will do so in accordance with data protection law.

If you require further information regarding retention of data, and the periods for which your personal data is held for, please download our Compliant Records Management Policy from the Trust website <http://www.suatrust.co.uk/documents---policies> or request a copy from the Academy's Data Protection Representative.

## **Who we share personal information with**

Your information may be shared for the purposes of the recruitment exercise. This includes members of the HR and administration team, the Trust as the employer, interviewers involved in the recruitment process, including governors, and also former employers to obtain references for you.

Where it is legally required, or necessary for another reason permitted under data protection law, we may share personal information with:

- Our local authority, Staffordshire County Council – to meet our legal duties to share certain information with it, such as health and safety purposes.
- The Department for Education (a government department).
- Suppliers and service providers, including professional bodies, professional advisers and consultants – so that they can provide the services we have contracted them for, for example, employment background check providers and solicitors and/or insurance providers managing legal claims.
- Our auditors – to ensure that we comply with finance, data protection and health and safety.
- Health authorities and health and social welfare organisations – to ensure we support your health and wellbeing.
- Police forces, courts, tribunals – to ensure the Academy meets legal requirements.
- Medical/Paramedic Services - Incidents relating to the safety of the building occupants requiring medical/paramedic/ambulance services.

## Data Retention

Personal data is retained in line with the Staffordshire University Academies Trust Compliant Records Management Policy.

Personal information will be retained depending on the nature of the information. Data will only be retained for as long as is necessary to fulfil the purposes for which it was processed, and will not be retained indefinitely.

If you require further information regarding retention of data, and the periods for which your personal data is held for, please download our Compliant Records Management Policy from the Trust website <http://www.suatrust.co.uk/documents---policies> or request a copy from the Academy's Data Protection Representative.

## Your rights

- Individuals have a right to make a 'subject access request' to gain access to personal information that the Academy holds about them. A request can be made to the Academy's Data Protection Representative, whose contact details can be found within this Privacy Notice. If you would like to make a request, please find a link to the information to the supporting information [here](#).
- You may also have a right for your personal information to be transmitted electronically to another organisation in certain circumstances.

Individuals have certain rights regarding how their personal data is used and kept safe. You have the right to:

- Object to the use of your personal data if it would cause, or is causing, damage or distress
- Ask us for access to information about you that we hold
- Have your personal data rectified if it is inaccurate or incomplete
- Request the deletion or removal of personal data where there is no compelling reason for its continued processing
- restrict our processing of your personal data (i.e. permitting its storage but no further processing)
- Object to direct marketing (including profiling) and processing for the purposes of scientific/historical research and statistics
- Not be subject to decisions based purely on automated processing where it produces a legal or similarly significant effect on you

Where we are processing your personal data with your consent, you have the right to withdraw that consent. If you change your mind, or you are unhappy with our use of your personal data, please let us know by contacting our Data Protection Representative.

To exercise any of these rights, or if you would like to discuss anything in this privacy notice, please contact our Data Protection Representative.

## Complaints

We take any complaints about our collection and use of personal information very seriously.

If you have any queries in relation to our processing, or think that our collection or use of personal information is unfair or inappropriate, or have any other concern about our data processing, please raise this with us in the first instance by contacting our Data Protection Officer:

Email – [hkirkham@suatrust.co.uk](mailto:hkirkham@suatrust.co.uk)  
Telephone – 01782 987120

Alternatively, you can make a complaint to the Information Commissioner's Office:

- Report a concern online at <https://ico.org.uk/concerns/>
- Call 0303 123 1113

- Or write to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

### **Further information**

If you require further information about how we use your personal data, please visit our website, **[www.suatrust.co.uk](http://www.suatrust.co.uk)**